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SIPDIS

STATE PASS AIT/W

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SUBJECT: FALSE MARRIAGES USED FOR TRAFFICKING IN TAIWAN

1. (SBU) Summary. Kaoshiung County Police officials are investigating an organized crime case involving six Cambodian women who were trafficked to Taiwan and forced into prostitution. The women were promised jobs in a factory in Southern Taiwan and trafficked to Taiwan under false marriages. All six have been provided protection and shelter by the Kaohsiung County Police and will not be charged with any crime. The Taiwan Women's Rights Protection Association is providing counseling and support to the victims and local religious groups have provided additional support in the form of food and clothing. Police believe the incident is part of an organized ring. Authorities are developing strategies to impose stiffer penalties for false marriages, which are increasingly being used to traffick women from Southeast Asia. Prosecutors told AIT/K that they are exploring how to charge false marriage offenders under national security laws, which would incur much stiffer penalties. End summary.

Women Trafficked Using False Husbands

2. (SBU) Kaoshiung County Criminal Investigation Chief Liu Yu-bin informed AIT/K that six Cambodian women promised factory jobs in Taiwan were actually trafficked via false marriages and forced into prostitution. Liu said two of six Cambodian women managed to escape and turned themselves in to local police. They told the police that the other four women were still being held and Kaohsiung County investigators raided a residence in Pingtung, rescuing the remaining four victims. Liu said his office has made eight arrests in the case, including the false husbands.

3. (SBU) Liu told AIT that the women were being housed at an undisclosed location in Kaohsiung County for their own protection. The Taiwan Women's Rights Protection Association and a local religious group had been given access to the women and were providing them support and counseling.

4. (SBU) Kaohsiung County Foreign Affairs Police told AIT/K that a total of thirty Vietnamese spouses⁸ were arrested for prostitution in Kaohsiung County in 2004. According to Kaohsiung County authorities, none of these women were charged with a crime and all have been treated as trafficking and provided care, counseling, and transportation home. Police estimate the cost to the county was around \$1600 per person, as the women were quickly repatriated. (Note: This is in contrast to PRC nationals, who are more difficult to repatriate. End note).

Light Penalties Encouraging Organized Crime

5. (SBU) Chief Investigator Liu told AIT/K that the case was likely organized crime-related, but that he was not optimistic his investigation would be able to develop sufficient evidence to charge the arrested men under organized crime statutes. Liu lamented that under current law, penalties for false marriages was too light to act as a deterrent or to induce those arrested to cooperate. The case prosecutor, Lo Shiu-lang, told AIT/K that based on the current evidence, the sham husbands had been charged with fraud while the guard and pimp had been charged with pandering, forced prostitution, and unlawful confinement. According to Lo, the maximum sentence facing the "husbands⁸ was three days in jail or a \$35 fine. The pimp and enforcer faced maximum terms of five years.

6. (SBU) As prosecutor Lo explained, organized recruiting rings in Cambodia and Vietnam work with "husband" recruiters in Taiwan to traffick the women to Taiwan and then lease them to local brothels. Sham marriage had become the method of choice for trafficking women since it was safer than smuggling women by boat and there was little cost for the husbands if they were caught. While 95% of the cases Lo had investigated involved women from the PRC, the number of Southeast Asian women was on the rise. Lo surmised that this trend was probably caused by the new personal interview requirement for non-Taiwanese spouses entering Taiwan. Language barriers made it more difficult for the immigration staff to trip up migrants who speak other languages than Chinese.

Comment: Problem Likely to Grow

17. (SBU) While police and prosecutors appear to be handling these cases effectively, with sensitivity and protection provided to victims, they recognize that the relatively light penalties for engaging in false marriages make it likely efforts to reduce the number of such cases will continue. Prosecutors told AIT/K they were looking into the possibility of charging the &husbands under national security laws. This strategy was used previously in an alien smuggling case involving &loaned national ID cards which, like sham marriages, entailed very light penalties. The potential five year penalty prescribed by the National Security Law quickly dried up the supply of ID cards. This approach could provide the more effective deterrent needed.

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